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11/15/04
DIVISION
08/379, 872

2004 NOV 16 11:51

#28 (mts)

PATENT

Attorney Docket No. 161169

DHHS Reference No. E-133-1990/0-US-02

**PETITION PURSUANT TO 37 C.F.R. § 1.378(c) TO
REINSTATE PATENT EXPIRED FOR DELAYED PAYMENT OF
MAINTENANCE FEE**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

NOV 23 2004

OFFICE OF PETITIONS

Dear Sir:

The referenced application was unintentionally abandoned by failing to pay the four – year maintenance fee by the maintenance fee window close date of September 7, 2004.

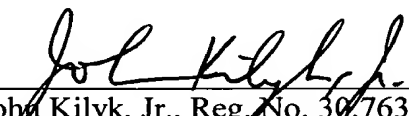
Applicants petition to reinstate this patent pursuant to 37 C.F.R. § 1.378(c) and submit the appropriate fee pursuant to 37 C.F.R. § 1.20(e) and 37 C.F.R. § 1.20(i)(2). The entire delay in paying the required maintenance fee from the due date for the required maintenance fee until the filing of a grantable petition under 37 C.F.R. § 1.378(c) was unintentional.

The Commissioner is authorized to charge the appropriate maintenance and petition fees pursuant to 37 C.F.R. § 1.20(e) and 37 C.F.R. § 1.20(i)(2), as well as any additional fees associated with this communication, and to credit any excess payment to Deposit Account No. 12-1216.

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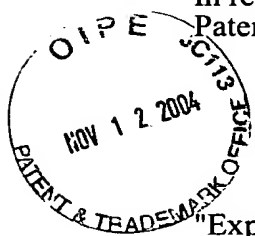
01 FC:1551 940.00 DA
02 FC:1558 1640.00 DA

Respectfully submitted,


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Date: November 12, 2004

In re Pat. of Flack et al.
Patent No. 6,114,397



CERTIFICATE OF MAILING BY EXPRESS MAIL

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Date of Deposit:

November 12, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name of Person Signing: John Kilyk, Jr.

Signature

A handwritten signature in cursive script, appearing to read "John Kilyk, Jr.", written over a horizontal line.

Date: November 12, 2004